

JC06 Rec'd PCT/PTO 22 AUG 2005

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PTO/SB/21 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031

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**TRANSMITTAL  
FORM**

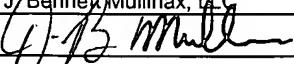
(to be used for all correspondence after initial filing)

<b>TRANSMITTAL FORM</b>  <i>(to be used for all correspondence after initial filing)</i>	Application Number	10/535,044	
	Filing Date	May 13, 2005	
	First Named Inventor	Wampole, Sr., Glenn P.	
	Art Unit	Unknown	
	Examiner Name	Unknown	
Total Number of Pages in This Submission		Attorney Docket Number	CSA-2-PCT-US

**ENCLOSURES (Check all that apply)**

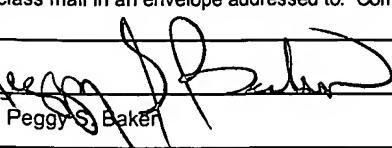
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance communication to (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): <div style="margin-left: 20px;">Statement Under 37 CFR §1.97</div> <div style="margin-left: 20px;">Five (5) Non US Patent References</div> <div style="margin-left: 20px;">Return Receipt Postcard</div>
<input type="checkbox"/> Remarks		

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm Name	J. Bennett Mullinax, LLC		
Signature			
Printed name	J. Bennett Mullinax		
Date	August 19, 2005	Reg. No.	36221

**CERTIFICATE OF TRANSMISSION/MAILING**

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

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Typed or printed name **Peggy S. Baker** Date **August 19, 2005**

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PATENT

ATTORNEY DOCKET NO.: CSA-2-PCT-US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Glenn P. Wampole ) Examiner: Unknown  
S/N: 10/535,044 ) Art Unit: Unknown  
Filed: 05/13/2005 ) Conf. No.: Unknown  
Title: Wood Treatment Process and )  
Chemical Composition )

STATEMENT UNDER 37 CFR §1.97 ACCOMPANYING  
INFORMATION DISCLOSURE STATEMENT

Mail Stop IDS  
Commissioner for Patents  
P O Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Applicant hereby certifies that:

37 CFR §1.97(b)

- The Information Disclosure Statement submitted herewith is being filed within three months of the filing of a national application other than a continued prosecution application under 37 CFR 1.53(d); within three months of the date of entry of the national stage as set forth in 37 CFR 1.491 in an international application; before the mailing of a first Office Action on the merits, or before the mailing of a first Office action after the filing of a request for continued examination under 37 CFR 1.114.

37 CFR §1.97(c)

- The Information Disclosure Statement submitted herewith is being filed after the period specified in 37 CFR 1.97(b) provided that the Information Disclosure Statement is filed before the mailing date of a Final Action under 37 CFR 1.113, a Notice of Allowance under 37 CFR 1.311, or an Action that otherwise closes prosecution in the application, and is accompanied by one of:
- the statement specified in 37 CFR 1.97(e); OR
- the fee set forth in 37 CFR 1.17(p).

37 CFR §1.97 (d)

- The Information Disclosure Statement submitted herewith is being filed after the period specified in 37 CFR 1.97(d), and on or before payment of the issue fee, and is accompanied by the Statement as specified in 37 CFR 1.97(e) and the fee set forth in 37 CFR 1.17(p).

37 CFR §1.97(e)

- Statement under 37 CFR 1.97(e)(1) – Each item of information contained in the accompanying Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the Information Disclosure Statement.
- Statement under 37 CFR 1.97(e)(2) – No item of information contained in the accompanying Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersign person, after making reasonable inquiry, no item of information contained in the accompanying Information Disclosure Statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of the Information Disclosure Statement.

Please charge any additional fees required or credit any overpayments to Deposit Account No. 50-3172.

Respectfully submitted,

J. BENNETT MULLINAX, LLC



J. Bennett Mullinax  
Reg. No. 36,221

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PTO/SB/08A (08-03)

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Substitute for form 1449/PTO

## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet

of

## Complete if Known

Application Number	10/535,044
Filing Date	05/13/2005
First Named Inventor	Glenn P. Wampole
Art Unit	Unknown
Examiner Name	Unknown

Attorney Docket Number CSA-2-PCT-US

## U. S. PATENT DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	Document Number Number-Kind Code <sup>2</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		US- 3,775,047	11/1973	Weston	
		US- 3,985,921	10/1978	Rowell et al	
		US- 4,329,383	05/1982	Joh	
		US- 4,780,341	10/1988	Chow	
		US- 4,804,384	02/1989	Rowell et al	
		US- 5,470,614	11/1995	Chen et al	
		US- 5,910,503	06/1999	Mattox et al	
		US- 6,008,238	12/1999	el A'mma et al	
		US- 6,428,902	08/06/2002	Amundson et al	
		US- 6,537,357	03/25/2003	Wampole Sr.	
		US- 20020146465	11/14/2001	Lloyd, et al	
		US-			

## FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T <sup>6</sup>
		JP 56-47571	04/1981			
		WO 2004/047539	06/10/2004	Wampole		

Examiner Signature		Date Considered
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup>Applicant is to place a check mark here if English language Translation is attached.

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STATEMENT BY APPLICANT**

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of

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Application Number	10/535,044
Filing Date	05/13/2005
First Named Inventor	Glenn P. Wampole
Art Unit	Unknown
Examiner Name	Unknown

Attorney Docket Number

CSA-2-PCT-US

**NON PATENT LITERATURE DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	<sup>2</sup>
		CHEN et al, "Fungal and Termite Resistance of Wood Reacted With Periodic Acid or Sodium, Periodate", Wood and Fiber Science, 21(2). 1989, pp. 163-168	
		Derwent Abstract No. 1978-37092A, abstract of Japanese Patent Specification No. 53-039127 (Apr. 1978)	
		US Receiving Office, International Search Report, PCT/US02/37065, 02/11/2003, 3 pages	

Examiner Signature	Date Considered
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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